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## UNITED STATES PATENT AND TRADEMARK OFFICE

#3

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/943,078	08/30/2001	Todd R. Abbott	MIO 0083 PA

## CONFIRMATION NO. 7688

## FORMALITIES LETTER



\*OC000000006868806\*

Killworth, Gottman, Hagan & Schaeff, L.L.P.  
Suite 500  
One Dayton Center  
Dayton, OH 45402-2023

Date Mailed: 10/09/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing. ~~740~~  
*Applicant must submit \$740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is ~~\$832~~ 852  
~~470~~  \$432 for 24 total claims over 20.  
~~470~~  \$400 for 5 independent claims over 3.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is ~~\$1672~~ 1722

10/07/2001 10240081 00000052 10240079

11 701-00	174.00
12 701-00	472.00
13 701-00	152.00
14 701-00	152.00
	130.00

*A copy of this notice MUST be returned with the reply.*A.T

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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Sector 543

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

Applicant(s) : Todd R. Abbott  
Serial No. : 09/943,078  
Filed : August 30, 2001  
Title : SEMICONDUCTOR DAMASCENE TRENCH  
AND METHODS THEREOF  
Docket : MIO 0083 PA  
Confirmation No. : 7688

**BOX MISSING PARTS**

Assistant Commissioner for Patents  
Washington, DC 20231

**CERTIFICATE OF MAILING**  
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on December 4, 2001.

Thomas E. Lees

Reg. No. 46,867

Sir:

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Pursuant to the Notice to File Missing Parts, mailed October 9, 2001 in the above-identified application, enclosed is a properly signed declaration in compliance with 37 CFR §1.63 identifying the application by the above Serial Number and Filing Date, and the return copy of the Notice.

Also enclosed is a Credit Card Payment Form (PTO-2038) in the amount of \$1,722.00 which includes \$740.00 as the missing basic filing fee, \$852.00 for the additional claims fee and \$130.00 as set forth in 37 CFR §1.16(e).

Respectfully submitted,  
KILLWORTH, GOTTMAN, HAGAN  
& SCHAEFF, L.L.P.

By

Thomas E. Lees  
Registration No. 46,867

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TEL/kec  
Encls.

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FEB 05 2001

PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL  
for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 1,722.00)

## Complete if Known

Application Number	09/943,078
Filing Date	August 30, 2001
First Named Inventor	Todd R. Abbott
Examiner Name	
Group Art Unit	2812
Attorney Docket No.	MIO 0083 PA

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number   
Deposit Account Name

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
 Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit card  Money Order  Other

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

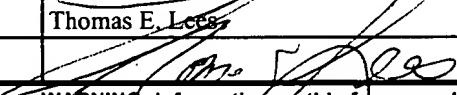
Fee Code	Large Entity (\$)	Small Entity (\$)	Fee Description	Fee Paid
105	130	205	65 Surcharge - late filing fee or oath	130.00
127	50	227	25 Surcharge - late provisional filing fee or cover sheet	
139	130	139	130 Non-English specification	
147	2,520	147	2,520 For filing a request for ex parte reexamination	
112	920*	112	920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action	
115	110	215	55 Extension for reply within first month	
116	400	216	200 Extension for reply within second month	
117	920	217	460 Extension for reply within third month	
118	1,440	218	720 Extension for reply within fourth month	
128	1,960	228	980 Extension for reply within fifth month	
119	320	219	160 Notice of Appeal	
120	320	220	160 Filing a brief in support of an appeal	
121	280	221	140 Request for oral hearing	
138	1,510	138	1,510 Petition to institute a public use proceeding	
140	110	240	55 Petition to revive - unavoidable	
141	1,280	241	640 Petition to revive - unintentional	
142	1,280	242	640 Utility issue fee (or reissue)	
143	460	243	230 Design issue fee	
144	620	244	310 Plant issue fee	
122	130	122	130 Petitions to the Commissioner	
123	50	123	50 Processing fee under 37 CFR 1.17(q)	
126	180	126	180 Submission of Information Disclosure Stmt	
581	40	581	40 Recording each patent assignment per property (times number of properties)	
146	740	246	370 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370 For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370 Request for Continued Examination (RCE)	
169	900	169	900 Request for expedited examination of a design application	
Other fee (specify) _____				
*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$ 130.00)

\*\*or number previously paid, if greater; For Reissues, see above

SUBTOTAL (2) (\$ 852.00)

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Thomas E. Lee	Registration No. (Attorney/Agent)	46,867	Telephone	(937) 223-2050
Signature				Date	December 4, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.